THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.554 OF 2006

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Dated: 06-01-2006

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Between

B. Venkata Ramana Reddy,

S/o. Late Hariappadu,

Ex.M.P.P. President,

R/o. Koppili Village,

Etcherla Mandal,

Srikakulam District.

...PETITIONER

AND

The District Collector, Srikakulam

and another.

...RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus to declare the action of the respondents in including the names of ineligible persons in the voters' list of T.C.Nos.3 and 6 for the election of Water Users' Committee of Voora Tank of Kuppili village, Etcherla Mandal, Srikakulam District without calling any objections as illegal and arbitrary.

Learned counsel for the petitioner submits that the draft voters' list in Form – D is not at all published as required under the election notification on 06.12.2005 and without calling for the objections of the petitioner final voters' list has been published on 27.12.2005 and elections are scheduled to be conducted on 03.01.2006.

Whether the draft voters' list was published or not is a question to be decided in the appropriate proceedings by way of election petition. The petitioner cannot question the legality or validity of the said draft voters' list in this writ petition. It is stated that the draft voters list was published on 6-12-2005 calling for the objections within seven days, but no objections have been filed.

The writ petition is accordingly dismissed with a liberty to the petitioner to file an election petition.

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V. ESWARAIAH, J

January 6, 2006

DSK